

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Michael Martell-Deshawn BROWN

Case: 2:21-mj-30065

Assigned To : Unassigned

Assign. Date : 2/8/2021

Description: USA V. MICHAEL

MARTELL-DESHAWN BROWN

Case No.

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 17, 2021 in the county of Washtenaw in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. 922(g)(1)


Felon in possession of a firearm

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: February 8, 2021City and state: Detroit, Michigan

*Complainant's signature*Special Agent Michael Bolf, ATF*Printed name and title*

*Judge's signature*Honorable Kimberly Altman, U.S. Magistrate Judge*Printed name and title*

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AFFIDAVIT

I, Michael G. Bolf, being first duly sworn, hereby depose and state as follows:

I. Introduction

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), currently assigned to the Ann Arbor, Michigan, Field Office. I have been an ATF Special Agent since 2008. I have had extensive training at the Federal Law Enforcement Training Center in the Criminal Investigator Training Program and ATF Special Agent Basic Training. Before working for the ATF, I was a US Border Patrol Agent and a Federal Air Marshal. I have participated in numerous state and federal investigations including narcotics trafficking, illegal firearms possession, firearms trafficking, shooting investigations, as well as other types of criminal investigations. Because of my involvement in these and other investigations, I have sworn to a number of federal search and arrest warrants. Through my training, education, and experience, I have become familiar with the manner in which criminals communicate and operate their clandestine activities.

2. This affidavit is in support of a complaint and arrest warrant for Michael Martell-Deshawn BROWN (DOB **/**/1986). Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known to me concerning this investigation. I have

included only the facts necessary to establish probable cause that Michael Martell-Deshawn BROWN violated 18 U.S.C. § 922 (g)(1), as a felon in possession of a firearm.

3. The facts in this affidavit are based on my personal knowledge and observations, my review of law enforcement reports, communications with others who have personal knowledge of the events and circumstances described in this affidavit, and information gained through my training and experience.

4. For the following reasons probable cause exists that, on January 17, 2021, in the Eastern District of Michigan, Michael Martell-Deshawn BROWN was a convicted felon in possession of a firearm, in violation of 18 U.S.C. § 922(g).

II. Summary of Investigation

5. On January 17, 2021, at approximately 4:23 p.m., Washtenaw County Deputy Gombos, in a fully-marked police car and wearing full police uniform, was dispatched to 4479 East Huron Drive, Ann Arbor, Michigan, for a report of an intimidation with the suspect not on scene.

6. Upon arrival, Deputy Gombos observed a black male, later identified as Michael BROWN, in a heated verbal argument with a female at the end of the driveway. Deputy Gombos exited his patrol vehicle and separated the parties. BROWN provided a Michigan ID upon request and informed the deputy that he was in a civil dispute over a TV with his girlfriend. BROWN was told to

stand by the patrol vehicle while Deputy Gombos conducted a query of BROWN in the law enforcement database.

7. BROWN told Deputy Gombos that he could send the information to his lawyer and that he was leaving. Deputy Gombos told BROWN he was not free to leave and BROWN continued to walk away. BROWN was told again that he was not free to leave. BROWN then started to run away from Deputy Gombos, east bound on East Huron River Drive. Deputy Gombos chased BROWN on foot. Deputy Gombos yelled to BROWN “stop now, police stop”. BROWN continued to run and reached into his waistband with his right hand. Deputy Gombos continued to give loud verbal commands, “I am going to tase you, stop reaching, stop reaching”. BROWN continued to dig in his waistband with his right hand.

8. Deputy Gombos deployed his Taser and his first deployment hit on BROWN’s left thigh and left shoulder, which was not successful. A second deployment was initiated, hitting BROWN on his right hip and his right calf. This deployment was successful, which caused BROWN to fall to the ground. After hitting the ground, the Taser connection was interrupted. BROWN immediately started to reach for the front of his waistband with both hands. Deputy Gombos attempted to gain control of BROWN while BROWN was reaching for the front of his waistband.

9. Deputy Gombos continued to give loud verbal commands, “stop reaching, stop reaching,” Deputy Gombos was able to feel the impression of a firearm protruding through BROWN’s pants in the front of his waistband, where he was actively reaching.

10. Deputy Gombos proceeded to strike BROWN in his left side twice, and BROWN continued to reach. BROWN was forced onto his stomach, and BROWN again reached under his body to the front waistband. Deputy Gombos proceeded to utilize jaw control with his left elbow to gain control of BROWN’s movement. Still, BROWN reached in the direction of the firearm.

11. BROWN next elbowed Deputy Gombos in the side of his head, causing Deputy Gombos to lose control of BROWN’s right hand. BROWN tried to elbow Deputy Gombos again in the head, with Deputy Gombos blocking the second attempt. BROWN continued to reach for the firearm. Deputy Gombos delivered three (3) additional strikes and gave verbal commands to BROWN.

12. A private citizen stopped to help Deputy Gombos gain control of BROWN. With the help of the citizen, Deputy Gombos was able to place BROWN in handcuffs. Even while handcuffed, BROWN continued to reach for the firearm. Deputy Gombos finally rolled BROWN on his side and removed the firearm from his waistband. BROWN then attempted to take the firearm from Deputy Gombos.

13. BROWN was placed in the back of Deputy Gombos's marked patrol vehicle. A search incident to arrest was conducted on BROWN, with officers locating a container that contained suspected crack cocaine.

14. This firearm was later identified as a Smith and Wesson, Model SD40VE, .40 caliber pistol. The firearm was loaded with one round in the chamber and twelve additional rounds in the magazine. Officers lost one round during the clearing process in the snow.

15. During this investigation, I conducted a criminal history check of Michael Martell-Deshawn BROWN. This data showed that BROWN has been convicted, and knew he had been convicted, in the state of Michigan, of the following felony offenses:

- a. 2011 – FELONY-unlawful imprisonment, and
- b. 2020 – FELONY-Officer-assaulting/resisting causing injury.

16. I am a Firearms Interstate Nexus trained Special Agent. From the information provided, and based on my training and experience, the above-described firearm was manufactured outside of the state of Michigan, and therefore traveled in or affected interstate or foreign commerce. The firearm is a "firearm" as defined in 18 U.S.C. § 921.

III. Conclusion

17. Probable cause exists that Michael Martell-Deshawn BROWN ,
on January 17, 2021, committed the offense of felon in possession of a firearm
in violation of 18 U.S.C. § 922 (g)(1).

Respectfully submitted,



Michael G. Bolf
Special Agent
Bureau of Alcohol, Tobacco, Firearms,
and Explosives

Sworn to before me and signed in my presence
and/or by reliable electronic means.



HONORABLE KIMBERLY ALTMAN
UNITED STATES MAGISTRATE JUDGE

Dated: February 8, 2021